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WEEKLY JOURNAL,
ESTABLISHING SKIPTEMENER, 1844.
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THE DAILY JOURNAL.

WILMINGTON, N. C.

FRIDAY, FEBRUARY 14, 1868.

"Constitutional Convention," (So-Called.) Tuesday, Feb. 11, 1868. The Convention was called to order at 10

Prayer by the Rev. Mr. Lennon, of the onvention. Mr. Durham wanted to know why armed

Mr. Bryan said that he was not afraid of

on this floor were not of a "scary kind."
Mr. Jones, of Washington, moved that a
committee of three be appointed, by the
Chair, to wait on Gen. Canby. Agreed to,

Chair, to wait on Gen. Canby. Agreed to, when

The Chair announced the following gentlemen as the committee, viz: Messrs. Jones, of Washington, Read and Grant.

The committee, in accordance with Mr. Durham's resolution of yesterday, in relation to black-mail, was announced, as follows viz: Messrs. Durham, Ashley and J. H. Harris, (negro.)

Harris (negro) asked to be excused, but the President refused to make any alteration.

the President refused to make any alternation.

Mr. Ray presented a memorial, to be referred to the Select Committee of three, in regard to distillation of grain.

Mr. Franklin, a memorial from Mrs. Todd, of Raleigh, praying for a divorce.—Referred to the Special Committee, raised some days ago in regard to these matters.

By consent, Harris, of Wake, (negro,) introduced the following resolution:

troduced the following resolution:

Whereas, It is a matter of common rumor that Plate Durham, delegate, "so-called," from Cleaveland, obtained his election by the dishonorable uses of a certain official communication of the Freedman's Bureau, surreptitiously obtained; and relevens, if these rumors are true, it is the duty of this body to expel and purge itself of this corruption; therefore,

Be it Resolved. That a Select Committee of three members be appointed by the President, whose duty it shall be to ascertain and report whether such a corrupting procedure was adopted to secure the election of the axid Plate Durham, as a delegate to this Convention, and, if so, all the facts connected therewith, to the end that the delegate, "so-called," may be dealt with.

Harris. (negro.) moved to suspend the

four resolutions, and asked to be discharged from their further consideration.

A report was presented containing three resolutions testing the sense of this Convention in regard to the election of Judges of the Supreme and Superior Courts: 1st, By the people; 2d, By the General Assem-by; 3d, Appointment by the Governor, with the consent of the Senate or of the General Assembly.

Mr. Rodman; the Chairman of the Com-

mr. Rodman; the Chairman of the Committee, favored the appointment by the Governor, to be confirmed by the Senate. He thought that the popular system would not tend to place men of prudence and wisdom upon the bench. He wished to give the people a good, wise and just government, and he relied upon their good sense to ratify our labors. He did not wish to sawriftee good sense and common prudence.

to ratify our labors. He did not wish to sacrifice good sense and common prudence for the sake of popularity.

Mr. Tourgee was "too good a Republican!" not to favor the election of everything by the people.

[Mr. Jones, of Washington, Chairman of the Committee appointed to wait on Gen. Canby and invite him to visit the House, reported that the General's engagements would prevent his visiting them to-day, but he would accept the invitation for to-morrow, and wished it to be distinctly understood that no speech must be expected of stood that no speech must be expected of

him.]
Mr. Jones then proceeded to give his opinions on the subject under consideration. He favored the present system. Our present Judiciary stood among the highest

and purest in this country.

Mr. Heaton favor I the appointment by the Governor, to be confirmed by the Senate. He thought that was as far as they could or should go now. The election system had worked admirably in Ohio, but he did not know that it would do so well

Mr. Abbott also favored the appointment by the Governor, and confirmation by the

Mr. Pool would protest against the elec-tion system. He ventured the prediction that if the election system was adopted, and the cry for relief from private con-tracts should continue, that Mr. McDontracts should continue, that Mr. McDon-ald, of Chatham, could beat, to-day, the best legal mind in the State for a seat upon the bench. While he preferred the present system he would not oppose the 3d resolution, providing for the appoint-ment by the Governor, to be confirmed by the Sanate

Mr. Watts held that neither of the plans were good. It seemed to him that a judi-cious compromise might be effected. For instance, the appointment by the Gov-ernor of the Supreme Court Judges, con-firmed by the Senate; the Circuit Judges and the Magistrates to be elected by the

Mr. Welker said the people of North Carolina were quite wall qualified to vote intelligently for he wall officed of great importance. Were the gentle-The President said they were here by no of great importance. Were the gentlement, natives of this State, upon this floor men, natives of this State, upon this floor prepared to declare that their constituency intelligent, and capable as Mr. D. replied that they should leave their arms behind them. They ought not to be allowed to come in with arms in their States?

Mr. Bryan said that he was not afraid of the United States soldiers, and if Conservative gentlemen would behave themselves, they would not hurt them.

Mr. Bryan said that he was not afraid of either him or the present system came from men not natives of the State, and that, in his opinion, was a strong argument that the state of the state of the state. tleman he was not afraid of either him or ment that the present system was good enough. He thought that their strong op-position to it came from the fact that they were aspirants for the honors. He was

opposed to any change.

Mr. Kinney said he was a native born citizen of the State, and he was very much in favor of electing all State officers by the

people.

Mr. Ing endorsed every word that Mr.

Kinney had uttered; he was in favor of lecting every officer in the State by the

Mr. Congleton ditto. Mr. May said he represented a large white constituency and they were, to a man almost, in favor of electing all officers. Mr. Bryan wished to place himself in the

same category.

Mr. Heaton said that Mr. Welker had drawn a wrong inference as to the spirit of his remarks; he did not intend to reflect upon the intelligence and capability of the people of North Carolina, &c.

Hood (negro), had something to say, and Mr. Trogden came here pledged to vote for the election system, and thought its

for the election system, and thought its adoption would do more towards the ratification than anything else.

Mr. Graham, of Orange, hoped the vote upon the subject would not be pressed today, and moved to postpone until Friday next, and that it be made the special order for that day.

Mr. Rich opposed the postponement; also Mr. May, who thought it a waste of time.

of Gaine, a displayed would not be adoptioned to any other post of the post of the condition.

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Mr. D. replied: "I do, if you mean to insinuate anything of the kind against my intention in introducing my resolution yesterday."

Mr. H. said, "I do not."

"Than," said Mr. Durham, "I do not, in that case, mean to apply offensive language to you."

The call for the year and nays was not unstained.

The (House refused to postpone, and the resolution was adopted.

Mr. Abbott, from the Committee of Conference with General Canby, reported back.

which its importance demands, I enter my protest against it.

Mr. Ray would favor the election by the people. Men had been murdered in his county by being condemned without proper evidence.

Mr. Ashley thought the matter ought not to be pressed to day; time enough had not been given to consider the matter, as it should be. [Here an effort to adjourn was made

Mr. A. continued, and, in advocacy of the elective system, he cited the example of Chief Justice Taney, who outraged the whole country by his iniquitous decisions. Even death itself would not take him for a long time, and if it had not been for the great love of the Northern people for the Union, they would on his account, have burst assunder the bonds that held the Union together. If he was forced to a vote, to-day, he would support the elective system.

Mr. Heaton moved as a substitute for the first resolution the adoption of the last res-olution. ake out the second resolution and make it a substitute for Mr. Heaton's substi-

Mr. Graham, of Orange, called for the Mr. Graham, of Orange, called for the yeas and nays. The call was sustained and the vote stood, yeas 29, nays 74.

The question on Mr. Heaton's amendment was put. The yeas and nays being called, resulted, yeas 36, nays 64.

The question recurring on the first resolution, Mr. Pool desired a division.

The question then stood: Shall elect the Supreme Court Judges by the people?
The yeas and nays being called, stood yeas 55, nays 37.

By consent, Mr. Abbott moved to by the tax bill before Gen. Canby. Carried.

The question recurred upon the second division of the resolution, whether the people should elect Superior Court Judges.— The yeas and nays being called, resulted, yeas 62, nays 15. On motion, the House then adjourned.

Note.—Mr. Heaton, in explanation of his vote, stated that he preferred nominating by the Gov-ernor and confirming by the Senate, but, as this was defeated, he supported the elective system.





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STATE OF NORTH CAROLINA. NEW HANGVER COUNTY.

istrator of Ed'wd B. Dudley.

Ancrum B. Burr and wife of roble estate and others.

To appearing That James B. Dudley.

One of the defondants in this cause, resides beyond the limits of this State: It is therefore ordered that publication be made for six weeks in the Daily Journal, notifying the said defendant of the fling of this petition, and that unless he appear at the next term of the Court of Pleas and Quarter Sessions to be held for the County aforesaid, at the Court House in Wilmington, on the Second Monday of March, A. D. 1868, and answer the petition, the same will be taken pro confesso, and heard exparts as to him.

Teste: ROBT B. WOOD, Ju.,

Clerk New Hanover County Court.

Clerk New Hanover County Court. 102-lawsw

STATE OF NORTH CAROLINA,

Pleas and Quarter Sessions, Decem Term, 1867.

IT APPEABING TO THE COURT THAT THE defendant, Jonas P. Levy, hath removed himself from the County of New Hanover, and so absents himself from the same that the ordinary process of the law cannot be served on him; it is therefore ordered, that publication be made, for six weeks, in the Daily Journal, notifying him that, unless he replevies the property levied on by giving a bail bond, and pleads or demure at the next term of the Court of Pleas and Quarter Sessions, to be held for the County of New Hanover, on the second Monday of March next, judgment by default will be entered against him, and the property levied on will be condemned to satisfy the same.

ROB'T. B. WOOD, Jr., Clerk New Hanover County Court.

STATE OF NORTH CAROLINA. NEW HANOVER COUNTY.

James F. Post,

Jonas P. Levy,

Jonas P. Levy,

IT APPEARING TO THE COURT THAT THE

defendant, Jonas P. Levy, is an inhabitant of
another Government, and cannot be personally
served with process; it is therefore ordered, that
publication be made, for six weeks, in the Daily
Journal, notifying him that, unless he replevies
the property levied upon by giving a bail bond,
and pleads or demurg, at the next term of the
Court of Pleas and Quarter Sessions of the County
aforessid, to be held on the second Monday of
March next, judgment will be entered against
him, and the property levied on will be condemned
to satisfy the same.

Teste,

ROBT. B. WOOD, Jr.,

Clerk New Hanover County Court,
jan 25

STATE OF NORTH CAROLINA. NEW HANOVER COUNTY.

Isaac A. Peck.

Isaac A. Peck.

I APPEABING TO THE COURT THAT THE defendant, Isaac A. Peck, is an inhabitant of another State, so that the ordinary process of the law cannot be served on him; it is therefore ordered, by the Court, that publication be made in the Wilmington Journal, for six weeks, notifying the defendant that, unless he appears at the next term of the Court of Pleas and Quarter Sessions of New Hanover County, to be held on the second Monday of March next, and repleys and plead, or demur, judgment by de ault will be rendered against him, and the money confessed by the garmishee c udemued for the satisfaction of the same.

I ste, BOBT. B. WOOD, Jr., Clerk New Hanover County Court. jan 25

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Sessions.—It has two full sessions each year.

nor attached to any medical clique; but embraces in its teachings everything of value to the profession.

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NEW HANOVER COUNTY.

Jonas P. Levy,
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